

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

SAUNDERS OUTDOOR  
ADVERTISING, INC.,

Plaintiff/Counter Defendant,

vs.

ASPEN MANAGEMENT, LLC, and  
BUTANA SAND AND GRAVEL,  
LLC,

Defendants/Aspen Management,  
LLC Counter Plaintiff.

ASPEN MANAGEMENT, LLC,

Third-Party Plaintiff,

vs.

SUMMIT VALLEY TITLE  
COMPANY, a Montana Domestic  
Profit Corporation,

Third-Party Defendant.

No. CV-19-26-BU-SEH

**ORDER**

Defendant Butana Sand and Gravel, LLC (“Butana”) has filed three preliminary pretrial statements.<sup>1</sup> Each has failed to comply with the requirements of the Court’s Orders.<sup>2</sup>

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<sup>1</sup> See Docs. 59, 92, and 116.

<sup>2</sup> See Docs. 32, 67, and 100.

ORDERED:

1. Butana will be accorded one more opportunity to file a revised preliminary pretrial statement, which shall fully comply with all requirements of Fed. R. Civ. P. 26(a)(1)(A)(i), (ii) and (iii) and L.R. 16.2(b)(1) and shall include:

(i) the name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses . . . ;

(ii) a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses . . . ;

(iii) a computation of each category of damages claimed [and of the damages claimed in each category] by the disclosing party [together with a statement of availability] . . . for inspection and copying . . . [of] documents or other evidentiary material . . . on which each computation is based, including materials bearing on the nature and extent of injuries suffered . . . .

Fed. R. Civ. P. 26(a)(1)(A)(i), (ii) and (iii).


2. Butana's revised preliminary pretrial statement shall be filed on or before **April 17, 2020**.

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3. Butana's failure to comply with the terms and conditions of this Order will result in the imposition of sanctions.

DATED this 8<sup>th</sup> day of April, 2020.

  
SAM E. HADDON  
United States District Court